
By: **Delegate Weir**

Introduced and read first time: February 6, 2002

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Hunting Licenses - Resident and Nonresident**

3 FOR the purpose of repealing provisions of law relating to certain hunting licenses;

4 providing for certain senior and junior hunting licenses; altering the fees for

5 certain hunting stamps and licenses; altering the amount of compensation

6 provided to certain agents for issuing certain hunting stamps and licenses;

7 making a stylistic change; and generally relating to resident and nonresident

8 hunting licenses.

9 BY repealing and reenacting, with amendments,

10 Article - Natural Resources

11 Section 10-301(f) and (g), 10-301.1(g), 10-302, 10-308, 10-308.1(a) and (e), and

12 10-415(c) and (d)

13 Annotated Code of Maryland

14 (2000 Replacement Volume and 2001 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Natural Resources**

18 10-301.

19 (f) (1) There shall be the following types of hunting licenses in the State:

20 (i) [A resident consolidated hunting license that enables the

21 purchaser to hunt all legal game birds and mammals during any appropriate season

22 in Maryland without the purchase of additional stamps, except that to hunt wild

23 waterfowl the purchaser must also buy a Maryland migratory wild waterfowl stamp

24 and a federal migratory bird hunting and conservation stamp.

25 (ii) A resident basic hunting license that enables the purchaser to

26 hunt all legal game birds and mammals during any appropriate season without the

27 purchase of additional stamps unless the purchaser is hunting deer or wild waterfowl.

28 This license enables the purchaser to hunt deer only with the purchase of the

1 appropriate deer stamps and to hunt wild waterfowl only with the purchase of a
2 Maryland migratory wild waterfowl stamp and a federal migratory bird hunting and
3 conservation stamp.

4 [(iii)] (II) A nonresident basic hunting license that enables the
5 purchaser to hunt all legal game birds and mammals during any appropriate season
6 without the purchase of additional stamps unless the purchaser is hunting wild
7 waterfowl or deer during bow and arrow season or black powder season. This license
8 enables the purchaser to hunt wild waterfowl only with the purchase of a Maryland
9 migratory wild waterfowl stamp and a federal migratory bird hunting and
10 conservation stamp. This license enables the purchaser to hunt deer during bow and
11 arrow season and black powder season only with the purchase of the appropriate deer
12 stamp.

13 [(iv)] (III) A nonresident 3-day hunting license that enables the
14 purchaser to hunt all legal game birds and mammals except deer and turkey for the
15 3 consecutive legal hunting days in a single season that are specified on the license by
16 the issuing agent. The purchaser must also purchase a Maryland migratory wild
17 waterfowl stamp and a federal migratory bird hunting and conservation stamp to
18 hunt wild waterfowl with this license. Under no circumstance does this license
19 authorize the purchaser to hunt deer and turkey.

20 (IV) A JUNIOR RESIDENT CONSOLIDATED HUNTING LICENSE, FOR A
21 RESIDENT UNDER THE AGE OF 16 YEARS, THAT ENABLES THE PURCHASER TO HUNT
22 ALL LEGAL GAME BIRDS AND MAMMALS DURING ANY APPROPRIATE SEASON IN
23 MARYLAND WITHOUT THE PURCHASE OF ADDITIONAL STAMPS, EXCEPT THAT TO
24 HUNT WILD WATERFOWL THE PURCHASER MUST ALSO BUY A MARYLAND
25 MIGRATORY WILD WATERFOWL STAMP AND A FEDERAL MIGRATORY BIRD HUNTING
26 AND CONSERVATION STAMP.

27 (V) A SENIOR RESIDENT CONSOLIDATED HUNTING LICENSE, FOR A
28 RESIDENT THAT HAS ATTAINED THE AGE OF 65, THAT ENABLES THE PURCHASER TO
29 HUNT ALL LEGAL GAME BIRDS AND MAMMALS DURING ANY APPROPRIATE SEASON
30 IN MARYLAND WITHOUT THE PURCHASE OF ADDITIONAL STAMPS, EXCEPT THAT TO
31 HUNT WILD WATERFOWL THE PURCHASER MUST ALSO BUY A MARYLAND
32 MIGRATORY WILD WATERFOWL STAMP AND A FEDERAL MIGRATORY BIRD HUNTING
33 AND CONSERVATION STAMP.

34 (2) Residents may purchase a senior consolidated license beginning in
35 the calendar year in which they attain the age of 65, which shall be valid for the
36 remainder of the purchaser's life.

37 (3) Residents may purchase a senior consolidated annual license
38 beginning in the calendar year in which they attain the age of 65.

39 (4) A nonresident of any age must purchase either a nonresident basic
40 hunting license or a nonresident 3-day hunting license to hunt in the State.

41 (5) The fees for hunting licenses are according to the following schedule:

- 1 (i) Resident, under the age of 16 years:
 - 2 1. Basic hunting license \$6.50
 - 3 2. [Consolidated] JUNIOR CONSOLIDATED hunting
 - 4 license..... \$15.50
- 5 (ii) Resident, at least 16 years old and under the age of 65 years,[:
 - 6 1. Basic] BASIC hunting license, WHICH INCLUDES THE
 - 7 FIREARMS SEASON FOR HUNTING DEER [\$15.50] \$24.50
 - 8 [2. Consolidated hunting license..... \$24.50]
- 9 (iii) 1. Senior consolidated annual license for residents at least 65
- 10 years old [\$ 1.25] \$2.25
- 11 2. Senior consolidated lifetime license for residents at least
- 12 65 years old..... \$12.50
- 13 (iv) Except as provided in subparagraph (v) of this paragraph,
- 14 nonresident basic.....[\$120.50] \$130.50
- 15 (v) Nonresident basic hunting license for residents of [Delaware,
- 16 Pennsylvania, Virginia, and West Virginia..... \$83.00]:
 - 17 1. DELAWARE \$86.00
 - 18 2. PENNSYLVANIA \$101.00
 - 19 3. VIRGINIA \$120.00
 - 20 4. WEST VIRGINIA \$100.00
 - 21 5. [or] OR a fee equal to the fee charged by the nonresident's
 - 22 home state for a similar basic hunting license, whichever fee is greater[.]
- 23 (vi) Complimentary license authorized to be issued under § 10-303
- 24 of this subtitleNo fee
- 25 (vii) Nonresident 3-day hunting license \$35.00
- 26 (6) The fees for individual hunting stamps are according to the following
- 27 schedule:
 - 28 (i) [Deer stamp..... \$9.50
 - 29 (ii) Bow] RESIDENT BOW and arrow stamp..... [\$3.50] \$7.00
 - 30 (II) NONRESIDENT BOW AND ARROW STAMP \$25.00

1	(iii)	[Black] RESIDENT BLACK powder stamp	[\$3.50] \$7.00
2	(IV)	NONRESIDENT BLACK POWDER STAMP	\$25.00
3	[(iv)]	(V)..... Maryland migratory wild waterfowl stamp	\$6.00
4	[(v)]	(VI) Resident bonus deer stamp for [each] ANY type of deer	
5		hunting season	\$5.00
6	[(vi)]	(VII) Nonresident bonus deer stamp for [each] ANY type of deer	
7		hunting season	\$25

8 (g) The person designated to sell the hunting licenses and individual hunting
9 stamps shall issue the hunting licenses and individual hunting stamps and collect the
10 fee prescribed in subsection (f) of this section. A hunting license may not be issued to
11 any person under the age of 16 years without the written consent of the person's
12 parent or guardian. The Department shall furnish the hunting licenses and
13 individual hunting stamps to the designated person. The issuing person shall
14 countersign the license, and retain the duplicate copy of the license. The duplicate
15 copies and money collected every month shall be mailed to the Department on the
16 first day of the succeeding month each year. The designated person who sells and
17 issues the hunting licenses and individual hunting stamps shall retain as
18 compensation [50 cents] \$1.00 for each [senior consolidated annual license,] senior
19 consolidated lifetime license, resident and nonresident basic, or nonresident 3-day
20 hunting license, and 50 CENTS FOR EACH individual hunting stamp sold and issued
21 [and shall retain as compensation \$1 for each consolidated hunting license sold and
22 issued, except a senior consolidated annual license and a senior consolidated lifetime
23 license].

24 10-301.1.

25 (g) The Department or a person designated by the Department shall issue a
26 complimentary [consolidated] BASIC hunting license each year to an individual who:

- 27 (1) Has been authorized by the Department to give the course of
28 instruction in conservation and in competency and safety in the handling of firearms
29 under subsection (b) of this section;
- 30 (2) Has completed at least 5 years of service as an instructor of this
31 course;
- 32 (3) Maintains active certification as an instructor of this course;
- 33 (4) Has taught two hunter safety courses during the fiscal year
34 preceding the issuance of the license; and
- 35 (5) Has indicated to the Department an interest in receiving a
36 complimentary [consolidated] BASIC hunting license.

1 10-302.

2 (a) Any person engaged in a retail business who desires to sell resident or
3 nonresident basic hunting licenses, [consolidated hunting licenses,] nonresident
4 3-day hunting licenses, or individual hunting stamps as an agent under the
5 Department's control and supervision shall apply to the Department on forms
6 prepared and prescribed by the Department. The Department may furnish resident
7 and nonresident basic hunting licenses, [consolidated hunting licenses,] nonresident
8 3-day hunting licenses, and individual hunting stamps on consignment to any agent
9 who provides a bond or other security deemed sufficient and adequate by the
10 Department to insure payment for the resident and nonresident basic hunting
11 licenses, consolidated hunting licenses, nonresident 3-day hunting licenses, and
12 individual hunting stamps.

13 (b) (1) The agent shall fill out every license and duplicate license in a legible
14 and proper manner.

15 (2) The agent shall date and affix any deer, bow and arrow, or black
16 powder stamp purchased on a basic hunting license in accordance with § 10-308 of
17 this subtitle.

18 (3) The agent shall submit any necessary report of sale together with the
19 duplicate license after the first day of each month as long as the agent sells these
20 licenses in accordance with § 10-301 of this subtitle. The report and duplicate licenses
21 shall reach the Department by the seventh day of each succeeding month.

22 (4) The Department shall reimburse any agent not operating on
23 consignment the sum paid for unissued resident and nonresident basic hunting
24 licenses, [consolidated hunting licenses,] nonresident 3-day hunting licenses, and
25 individual hunting stamps provided they are returned intact, and still attached in the
26 issuing books by June 30 of each year, and have been checked and found to be correct
27 by the Department. Every hunting license and individual hunting stamp not returned
28 by June 30 shall be deemed sold and not reimbursable unless accompanied by a
29 statement under oath stating why the hunting license or individual hunting stamp is
30 returned late. The Department, after review, may reimburse the agent.

31 (c) A designated person may not make any false statement concerning any
32 date of issuance or other resident or nonresident basic hunting license, [consolidated
33 hunting license,] nonresident 3-day hunting license, or individual hunting stamp
34 data. Every hunting license book, duplicate individual hunting license, or individual
35 hunting stamp shall be available for any law enforcement officer to inspect at any
36 time during the regular business day. An agent may not issue any hunting license or
37 individual hunting stamp without receiving the fees required by law. A receipt may
38 not be issued in lieu of a hunting license or individual hunting stamp.

39 (d) In addition to any other penalty provided for by the provisions of this title,
40 any agent convicted of violating the provisions of this section shall have the agent's
41 hunting license and individual hunting stamp issuing privilege rescinded.

1 10-308.

2 (a) (1) Except as provided in paragraphs (2) and (3) of this subsection, in
3 addition to the basic hunting license, a person hunting deer in the State first shall
4 obtain the appropriate individual hunting stamp.

5 (2) [A resident may hunt deer in the State during each season with a
6 consolidated hunting license.

7 (3)] A nonresident may hunt deer in the State during regular firearms
8 season with a nonresident basic hunting license.

9 (b) (1) A hunting license or other individual hunting stamp is not required of
10 the following:

11 (i) Except as provided in paragraph (2) of this subsection, the
12 owner or tenant of farmland, the owner's or tenant's spouse and children, or the
13 spouse of any child who resides on the farmland. A tenant is a person holding land
14 under a lease, or a sharecropper who resides in a dwelling on the land, but a tenant
15 does not include any employee of the owner or tenant;

16 (ii) Any resident serving in the armed forces of the United States
17 while on leave in the State, during the resident's leave period, if, while hunting, the
18 resident possesses a copy of the resident's official leave order.

19 (2) The provisions of paragraph (1)(i) of this subsection do not apply to a
20 nonresident owner of farmland.

21 (c) A resident with a basic hunting license shall obtain a deer stamp for a fee
22 as provided in § 10-301(f)(6) of this subtitle. A resident or nonresident with a basic
23 hunting license hunting deer during the bow hunting season shall obtain a special
24 bow hunting deer stamp for a fee as provided in § 10-301(f)(6) of this subtitle. A
25 resident or nonresident with a basic hunting license hunting deer with a muzzle
26 loader during the muzzle loader deer season shall obtain a special black powder deer
27 stamp for a fee as provided in § 10-301(f)(6) of this subtitle.

28 (d) (1) A person may obtain the consolidated hunting license, the resident
29 and nonresident basic license, and individual hunting stamp from any person
30 designated by the Department.

31 (2) The issuing person designated shall retain the sum of [50 cents]
32 \$1.00 as compensation for issuing each resident and nonresident basic hunting license
33 and [an] 50 CENTS AS COMPENSATION FOR ISSUING EACH individual hunting stamp
34 [and \$1 as compensation for issuing each consolidated hunting license]. The balance
35 of the fee is paid over and accounted for in the same manner as hunting licenses.

36 (3) The Department shall use \$1 from the sale of each [consolidated]
37 BASIC hunting license and, except for the fee retained by the issuing person, [all] 50%
38 of the money derived from the sale of bow and arrow and black powder stamps as
39 follows:

- 1 (i) Up to 40 percent to:
- 2 1. Provide bow hunter education;
- 3 2. Acquire, construct, and maintain public archery ranges; or
- 4 3. Perform any study necessary to evaluate any program or
5 project related to bow or muzzle loader hunting; and
- 6 (ii) The remaining percentage to:
- 7 1. Establish an effective and efficient deer checking system
8 during the muzzle loader and bow hunting deer season;
- 9 2. Acquire additional hunter access during the muzzle loader
10 and bow hunting season by:
- 11 A. The opening of additional State-owned lands to muzzle
12 loader and bow hunting;
- 13 B. The purchase of rights-of-way or access roads to reach
14 areas not open to muzzle loader and bow hunting;
- 15 C. The acquisition of additional lands for muzzle loader and
16 bow hunting; and
- 17 D. The administration of a permit system applicable to newly
18 opened areas; and
- 19 3. Police hunting lands during the muzzle loader and bow
20 hunting season and provide additional law enforcement personnel as necessary to
21 accomplish additional hunter access under item 2 of this subparagraph.

22 (e) The designated person shall write or stamp the date of issuance on the face
23 of every [consolidated hunting license,] resident and nonresident basic hunting
24 license[,] and individual hunting stamp issued under this section. Each individual
25 hunting stamp shall be affixed in the manner that the Department provides. The
26 recipient shall sign the consolidated hunting license or resident or nonresident basic
27 hunting license in ink.

28 10-308.1.

29 (a) In addition to the [consolidated hunting license,] nonresident 3-day
30 hunting license[,] or resident or nonresident basic hunting license, a person hunting
31 wild waterfowl in the State first shall obtain a Maryland migratory wild waterfowl
32 stamp.

33 (e) The Maryland migratory wild waterfowl stamp shall be affixed to the
34 [consolidated hunting license,] nonresident 3-day hunting license[,] or resident and
35 nonresident basic hunting license of the person to whom the stamp is issued. The
36 recipient shall sign the stamp in ink.

1 10-415.

2 (c) (1) Subject to subsection (d)(3) of this section, a person with a
3 [consolidated] BASIC hunting license also may purchase bonus deer stamps from the
4 Department.

5 (2) A bonus deer stamp allows the person with the [consolidated] BASIC
6 hunting license to hunt 1 deer for each stamp purchased in any of the following
7 hunting seasons for deer in the State:

8 (i) Deer bow hunting season;

9 (ii) Deer muzzle loader season; and

10 (iii) Deer firearms season.

11 (3) (i) Except as provided in subparagraph (ii) of this paragraph, the
12 fee for each bonus deer stamp issued in accordance with this subsection shall be \$5.00
13 for residents and \$25 for nonresidents.

14 (ii) The fee for each bonus deer stamp issued under this subsection
15 shall be \$5.00 for an individual hunting deer on a federal facility.

16 (4) The Department may establish by regulation the type and number of
17 deer stamps issued under this subsection if necessary to control the deer harvest in
18 various areas of the State.

19 (d) (1) [A person with a basic hunting license and any individual hunting
20 stamp also may purchase bonus deer stamps for use during any deer hunting season.

21 (2) (i) Except as provided in subparagraph (ii) of this paragraph and
22 subject to paragraph (3) of this subsection, the bonus deer stamp allows the person
23 with the basic license to hunt 1 deer in each hunting season for which the person has
24 purchased an individual hunting stamp.

25 (ii) An individual who purchases a bonus deer stamp [but does not
26 use it during a particular season] may use that stamp during any subsequent season
27 in that hunting license year.

28 (3) (i) The Department may issue a limited number of bonus
29 antlerless deer stamps for the purpose of regulating the harvest of antlerless deer in
30 a particular deer management region or zone.

31 (ii) The fee to apply for a bonus antlerless deer stamp is \$5 for
32 residents and \$25 for nonresidents.

33 (iii) The fee is nonrefundable if the applicant does not obtain an
34 antlerless deer stamp. If an individual obtains a bonus antlerless deer stamp, the
35 application fee for the stamp will be applied to the fee for the stamp and no additional
36 stamp fee will be required.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2002.